

**Amendments to the Drawings:**

None

## **REMARKS/ARGUMENTS**

Claim 1 was objected to because of informalities.

Claim 1 has been amended to correct the informalities.

Claims 1-3, 9, 10 and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Dawson; claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dawson in view of Wang.

Claim 1 comprises the limitation of forming initial single layer sidewall structures of similar widths adjacent to said NMOS transistor gate structure and said PMOS transistor gate structure. This limitation is not found in the Dawson et al. patent. In forming the rejection the examiner reasons that col. 6, lines 47-54 of the Dawson et al. patent discloses the above described imitation. The examiner is mistaken in the interpretation of the Dawson et al. patent. Column 6, lines 47-54 describes the process used to form the sidewalls 144 and 146 that have different widths. In particular, the examiner points to the formation of a conformal oxide layer formed over the structure. The conformal oxide structure is not a sidewall as that word is used both in the Dawson et al. patent and in the instant disclosure. The sidewall structures are formed by etching the conformal oxide layer. This is clearly stated in the paragraph referred to by the examiner.

The Dawson et al. patent (US 5,963,803) therefore describes forming sidewall structures of different widths 144 and 146 by first forming gate electrodes 122 and 126 of different heights. A single sidewall formation process is then used to form the sidewall structures 144 and 146 of different widths (col. 6, lines 51 to 58 clearly describe a single step process). Independent claim 1 of the instant invention describes a process which includes first forming initial sidewall structures of a first width. One set of the initial sidewall structures is then etched to form sidewall structures of differing widths. This is not described nor taught in the Dawson et al. patent and therefore claim 1 is allowable

over the cited art. In addition claims 2 and 3 depend from claim 1 and are also allowable over the cited art.

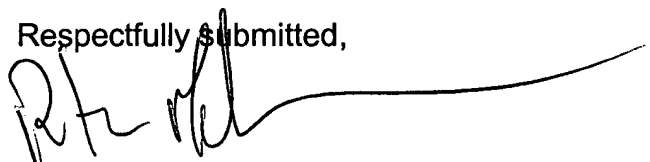
Independent claim 9 also contains the limitation of first forming sidewall structures of a similar or first width and then selectively etching a set of the sidewalls to form sidewall structures of a differing width. As described above this feature is not found in the Dawson et al patent and claim 9 is allowable over the Dawson et al. patent. Claims 10 – 12 depend from claim 9 and are also allowable over the Dawson et al. patent. With regards to claim 11 the above-described feature is not taught nor described in the Wang et al. patent (US 6,020,231) and claim 11 is allowable over the Dawson et al. patent in combination with the Wang et al. patent.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicants petition for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Peter K. McLarty', followed by a long horizontal line extending to the right.

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